United Nations S/2012/249

Security Council

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France, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling and *reaffirming* all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy to implement resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), and 1979 (2011),

Reaffirming its commitment to assist the parties to achieve a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and *noting* the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to cooperate more fully with the United Nations and with each other and to strengthen their involvement to end the current impasse and to achieve progress towards a political solution,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including MINURSO, under close review and reiterating the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Expressing concern about the violations of existing agreements, and *calling on* the parties to respect their relevant obligations,

Taking note of the Moroccan proposal presented on 11 April 2007 to the Secretary-General and *welcoming* serious and credible Moroccan efforts to move the process forward towards resolution; also *taking note* of the Polisario Front proposal presented 10 April 2007 to the Secretary-General,

Encouraging in this context, the parties to demonstrate further political will towards a solution including by expanding upon their discussion of each other's proposals,

Taking note of the four rounds of negotiations held under the auspices of the Secretary-General and the continued rounds of informal talks, and *welcoming* the progress made by the parties to enter into direct negotiations,

Welcoming the progress made by the parties in discussing innovative negotiating approaches and discrete subjects, their commitment to deepen the discussions on these and other issues, and the 9 November 2011 meeting of the parties on natural resources and progress made towards demining,

Welcoming the positive conclusion of the 12-16 September 2011 UNHCR-sponsored seminar on Hassaniya culture and the agreement by the parties to hold two additional seminars in 2012, as well as the holding of a UNHCR-facilitated high-level meeting on Confidence Building Measures for Western Sahara on 24-25 January 2012,

Stressing the importance of improving the human rights situation in Western Sahara and the Tindouf camps, and encouraging the parties to work with the international community to develop and implement independent and credible measures to ensure full respect for human rights, bearing in mind their relevant obligations under international law,

Welcoming the opening of National Council on Human Rights Commissions operating in Dakhla and Laayoune, and the steps taken by Morocco in order to fulfil its commitment to ensure unqualified and unimpeded access to all Special Procedures of the United Nations Human Rights Council,

Also welcoming the implementation of the enhanced refugee protection program developed by the Office of the UN High Commissioner for Refugees in coordination with the Polisario Front, which includes refugee and human rights training and awareness initiatives,

Reiterating the request that UNHCR maintain its consideration of a refugee registration in the Tindouf refugee camps,

Looking forward to the implementation of the updated plan of action on confidence building measures adopted in Geneva 24-25 January 2012, including the inauguration of family visits by land, use of new information technology to facilitate communication links between families, and the continuation and expansion of the existing programme by air, and encouraging the parties to cooperate with the Office of the United Nations High Commissioner for Refugees in implementing their agreement,

Welcoming the commitment of the parties to continue the process of negotiations through the United Nations-sponsored talks,

Recognizing that the consolidation of the status quo is not acceptable, and *noting further* that progress in the negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects,

Affirming support for the Secretary-General's Personal Envoy for Western Sahara Ambassador Christopher Ross and his work in facilitating negotiations between the parties, *welcoming* his ongoing consultations with the parties and neighbouring states, and *looking forward* to his regional visit in the near future, including to Western Sahara, as per the communiqué of the Informal Meeting on Western Sahara 11-13 March 2012,

Affirming support for the Special Representative of the Secretary-General for Western Sahara and Head of MINURSO Hany Abdel-aziz,

Having considered the report of the Secretary-General of 11 April 2012 (S/2012/197),

1. *Decides* to extend the mandate of MINURSO until 30 April 2013;

2. *Reaffirms* the need for full respect of the military agreements reached with the United Nations Mission for the Referendum in Western Sahara (MINURSO) with regard to the ceasefire and *calls* on the parties to adhere fully to those agreements;

3. *Calls upon* all parties to cooperate fully with the operations of MINURSO, including its free interaction with all interlocutors, and to take the necessary steps to ensure the security of as well as unhindered movement and immediate access for the United Nations and associated personnel in carrying out their mandate, in conformity with existing agreements;

4. *Welcomes* the parties' commitment to continue the process of holding small, informal talks in preparation for a fifth round of negotiations, and *recalls* its endorsement of the recommendation in the report of 14 April 2008 (S/2008/251) that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations;

5. *Calls* upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), and 1979 (2011) and the success of negotiations, inter alia, by continuing their discussion of the ideas in paragraph 120 of the Secretary General's report (S/2011/249);

6. *Affirms* its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context and calls for an intensified pace of meetings and strengthening of contacts;

7. *Calls* upon the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect;

8. *Invites* Member States to lend appropriate assistance to these talks;

9. *Requests* the Secretary-General to brief the Security Council on a regular basis, and at least twice a year, on the status and progress of these negotiations under his auspices, on the implementation of this resolution, challenges to MINURSO's operations and steps taken to address them, and *expresses* its intention to meet to receive and discuss his briefings and in this regard, further *requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

10. *Welcomes* the commitment of the parties and the neighbouring states to hold periodic meetings with the Office of the United Nations High Commissioner for Refugees to review and, where possible, expand confidence-building measures;

11. *Urges* Member States to provide voluntary contributions to fund confidence-building measures that allow for visits between separated family members, as well as for other confidence-building measures agreed upon between parties;

12. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in MINURSO with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action including pre-deployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

13. *Decides* to remain seized of the matter.